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10/616,159

07/09/2003

Michael Novak

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321 7590 07/31/2007

SENNIGER POWERS
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

ROSWELL, MICHAEL

ART UNIT

PAPER NUMBER

2173

NOTIFICATION DATE

DELIVERY MODE

07/31/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

Office Action Summary

Application No.

10/616,159

Applicant(s)

NOVAK ET AL.

Examiner

Michael Roswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20070502, 20070517, 20070601, 20070712
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chasen (US Patent 6,760,721) and Tonelli et al (US Patent 5,821,937), hereinafter Tonelli.

As to independent claim 1, Chasen et al. teach a method for modifying metadata of a media file in a media library (i.e. audio metadata for files in master tree 122, see col. 5 lines 26-30), said media file having a metadata field that includes property data (i.e. metadata, see col. 9 lines 29-42), and wherein the property data defines a property of the media file, comprising:

- receiving a selection of a media file from a list of media files being displayed via a graphical user interface (i.e. selection of a song by mouse click, see col. 15 lines 8-13);
- associating the selected media file with property category data within a property category, wherein the property category data defines a different property than the property of the media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13)

However, Chasen fails to teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

Tonelli teaches a system that allows for the modifying of data related to a graphical element in response to a drag-and-drop operation, similar to that of Chasen. Furthermore,

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Tonelli teaches providing menu options to a user in response to the drag-and-drop operation, and the subsequent user selection and data modification, at col. 7, line 50 through col. 8, line 6. As Chasen teaches the ability to add, delete and modify metadata (col. 4, lines 28-31), a combination of the metadata modification of Chasen with the drag-and-drop menu system of Tonelli would teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

One would have been motivated to make such a combination for the advantage of increased user-friendliness, time saving, and memory saving that result from enhanced user customization. See Tonelli, col. 8, lines 7-8.

As to claim 2, Chasen et al. teach the method of claim 1, wherein selecting the media file includes selecting and dragging the media file from a first location within the graphical user interface, and wherein the associating the selected media file with property category data includes dropping the selected and dragged media file onto the defined one or more property categories with property category data at a second location within in the graphical user interface (i.e. see col. 15 lines 8-13).

As to claim 3, Chasen et al. teach the method of claim 1, wherein selecting the media file includes selecting the media file via a context menu displayed in graphical user interface, and wherein the associating the selected media file with property category data includes identifying the property category data via the context menu displayed in the graphical user interface (i.e. by tree window 120).

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As to claim 4, Chasen et al. teach the method of claim 1, wherein modifying includes: replacing the property defined in the metadata field of the selected media file with the different property defined by the property category data; or adding the different property defined by the property category data to the property data in the metadata field of the selected media file (i.e. see col. 15 lines 21-29).

As to claim 5, Chasen et al. teach the method of claim 1, wherein the metadata field of the selected media file defines a genre property, an artist property, or an album title property (i.e. metadata, see col. 9 lines 29-42).

As to claim 6, Chasen et al. teach the method of claim 5, wherein the selected media file includes a plurality of metadata fields, and wherein modifying includes modifying a property defined in one or more of the metadata fields (i.e. see col. 15 lines 21-29).

As to claim 7, Chasen et al. teach the method of claim 6, wherein modifying includes

- changing the property defined in each of the one or more metadata fields of the selected media file to include a new property when the different property defined by the property category data is an album title property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a new property can be inherited upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the selected media file define one or more of the following properties: a collection ID property; a collection group ID property an album Artist property; a provider Style property; a provider Rating property; a buy URL property; a large Album Art URL property; a small Album Art URL property; a more Info URL property; a provider Name property; a provider URL property; and a provider Logo URL property (i.e. the metadata can include a plurality of properties like album artist, see col. 9 lines 29-42).

As to claim 8, Chasen et al. teach the method of claim 7, wherein modifying further includes

- deleting a property defined in each of the one or more of the metadata fields of the selected media file when the different property defined by the property category data is an album title property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a property can be deleted upon inheritance upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields define one or more of the following properties: a unique file identifier property; a release time property; and a content ID property (i.e. the metadata can include a plurality of identifiers , see col. 10 lines 14-19).

As to independent claim 9, Chasen et al. teach method for modifying metadata of one or more media files in a media library (i.e. audio metadata for files in master tree 122, see col. 5 lines 26-30), said one or more media files each having a metadata field that includes property data (i.e. metadata, see col. 9 lines 29-42), and wherein the property data defines a property of the media file, comprising:

- selecting property category data within a property category being displayed via graphical user interface corresponding to an instruction from a user (i.e. mouse selection drag of a song, see col. 15 lines 8-13), wherein the property category data defines a property of one or more media files (i.e. a song);
- associating the selected property category data with different property category data, wherein the different property category data defines a different property than the property of the media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13)

However, Chasen fails to teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

Tonelli teaches a system that allows for the modifying of data related to a graphical element in response to a drag-and-drop operation, similar to that of Chasen. Furthermore, Tonelli teaches providing menu options to a user in response to the drag-and-drop operation, and the subsequent user selection and data modification, at col. 7, line 50 through col. 8, line 6. As Chasen teaches the ability to add, delete and modify metadata (col. 4, lines 28-31), a combination of the metadata modification of Chasen with the drag-and-drop menu system of Tonelli would teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the

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metadata field of the selected media file to the different property defined by the property category data in response to the user response.

One would have been motivated to make such a combination for the advantage of increased user-friendliness, time saving, and memory saving that result from enhanced user customization. See Tonelli, col. 8, lines 7-8.

As to claim 10, Chasen et al. teach the method of claim 9, wherein the selecting includes selecting and dragging the property category data from a first location within the graphical user interface, and wherein the associating includes dropping the selected and dragged property category data onto the different property category data at a second location in the graphical user interface (i.e. see col. 15 lines 8-29).

As to claim 11, Chasen et al. teach the method of claim 9, wherein the selecting includes selecting property category data via a context menu displayed in the graphical user interface, and wherein the associating the selected media file with property category data includes identifying the different property category data via the context menu displayed in the graphical user interface (i.e. by tree window 120).

As to claim 12, Chasen et al. teach the method of claim 9, wherein modifying includes: changing the property data in the metadata field of the one or more media files having the property defined by the selected property category data to the different property defined by the different property category data; or changing the metadata field of the one or more media files having the property defined by the selected property category data to include the different property defined by the different property category data (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 13, Chasen et al. teach the method of claim 9, wherein the metadata field of the one or more media files defines a genre property, an artist property, or an album title property (i.e. metadata, see col. 9 lines 29-42).

As to claim 14, Chasen et al. teach the method of claim 13, wherein the selected property category data defines a first genre property and the different property category data defines a second genre property, and wherein modifying includes: changing property data in the metadata field of the one or more media files having the first genre property from the first genre property to the second genre property; or changing property data in the metadata field of the one or more media files having the first genre property to include the first genre property and the second genre property (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 15, Chasen et al. teach the method of claim 13, wherein the selected property category data defines an artist property and the different property category data defines a genre property, and wherein modifying includes: changing property data in the metadata field of the one or more media files having the defined artist property from an existing genre property to the genre property defined by the different property category data; or changing the property data in the metadata field of the one or more media files having the defined artist property to include the existing genre property and the genre property defined by the different property category data (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 16, Chasen et al. teach the method of claim 13, wherein the selected property category data defines an album property and the different property category data defines a genre property, and wherein modifying includes: changing property data in the metadata field of the one or more media files having the defined album property from an existing

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genre property to the genre property defined by the different property category data; or changing the property data in the metadata field of the one or more media files having the defined album property to include the existing genre property and the genre property defined by the different property category data (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 17, Chasen et al. teach the method of claim 13, wherein the selected property category data defines a first artist property and the different property category data defines a second artist property, and wherein modifying includes changing property data in the metadata field of the one or more media files having the first artist property from the first artist property to the second artist property (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 18, Chasen et al. teach the method of claim 13 wherein the selected property category data defines an album property and the different property category data defines an artist property, and wherein modifying includes changing property data in the metadata field of the one or more media files having the defined album property from an existing artist property to the artist property defined by the different property category data (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 19, Chasen et al. teach the method of claim 13, wherein the property category data defines a first album property and the different property category data defines a second album property, and wherein modifying includes changing property data in the metadata field of the one or more media files having the first album property from the first album property to the second album property (i.e. different metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

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As to claim 20, Chasen et al. teach the method of claim 19, wherein each of the media files having the first album property include a plurality of metadata fields, and wherein modifying includes modifying a property defined in one or more of the metadata fields (i.e. changing of the metadata, see col. 15 lines 8-29).

As to claim 21, Chasen et al. teach the method of claim 20, wherein modifying includes

- changing the property defined in each of the one or more metadata fields of the media files having the first album property to include a new property when the different property defined by the different property category data is an album title property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a property can be changed upon inheritance upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the media files having the first album property define one or more of the following properties: a collection ID property; a collection group ID property an album Artist property; a provider Style property; a provider Rating property; a buy URL property; a large Album Art URL property; a small Album Art URL property; a more Info URL property; a provider Name property; a provider URL property; and a provider Logo URL property (i.e. the metadata can include a plurality of properties like album artist, see col. 9 lines 29-42).

As to claim 22, Chasen et al. teach the method of claim 21, wherein modifying further includes

- deleting a property defined in each of the one or more of the metadata fields of the media files having the first album property when the different property defined by the property category data is an album title property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a property can be deleted upon inheritance upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the media files having the first album property define one or more of the following properties: a unique file identifier property; a release time property; and a content ID property (i.e. the metadata can include a plurality of identifiers , see col. 10 lines 14-19).

As to claims 23-30, claims 23-30 differ from claims 1-8 only in that claims 23-30 are computer-readable medium (readable in metadata management system 200) type claims where as claims 1-8 are method claims. Thus, claims 23-30 are analyzed as previously discussed with respect to claims 1-8 above.

As to claims 31-44, claims 31-44 differ from claims 9-22 only in that claims 31-44 are (readable in metadata management system 200) type claims where as claims 9-22 are method

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claims. Thus, claims 31-44 are analyzed as previously discussed with respect to claims 9-22 above.

As to independent claim 45, Chasen et al. teach in a computer system for modifying the metadata of a media file (metadata management system 200), said system having

- a graphical user interface including a display and a user interface selection device (graphical user interface 220 that interprets mouse actions, see col. 5 lines 44-51),
- a method of providing and selecting from a list of media files on the display, comprising:
 - selecting a media file from the list of media files being displayed by the user interface, said media file having a metadata field defining a property of the media file (i.e. selection of a song by mouse click, see col. 15 lines 8-13);
 - associating the selected media file with property category data within a property category being displayed by the user interface, wherein the property category data defines a different property than the property of the media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13)

However, Chasen fails to teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

Tonelli teaches a system that allows for the modifying of data related to a graphical element in response to a drag-and-drop operation, similar to that of Chasen. Furthermore, Tonelli teaches providing menu options to a user in response to the drag-and-drop operation, and the subsequent user selection and data modification, at col. 7, line 50 through col. 8, line 6. As Chasen teaches the ability to add, delete and modify metadata (col. 4, lines 28-31), a combination of the metadata modification of Chasen with the drag-and-drop menu system of Tonelli would teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the

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metadata field of the selected media file to the different property defined by the property category data in response to the user response.

One would have been motivated to make such a combination for the advantage of increased user-friendliness, time saving, and memory saving that result from enhanced user customization. See Tonelli, col. 8, lines 7-8.

As to claim 46, Chasen et al. teach the method of claim 45, wherein selecting the media file includes selecting and dragging the media file from a first location in the display, and wherein associating includes dropping the selected and dragged media file onto the property category data at a second location in the media library (i.e. see col. 15 lines 21-29).

As to claim 47, Chasen et al. teach the method of claim 45, wherein the list of media files are displayed in a media file data section, and wherein the property category data is displayed in an indexing section (i.e. in audio player program display 110).

As to independent claim 48, Chasen et al. teach a computer system for modifying the metadata of a group of media files (metadata management system 200), said system having

- a graphical user interface including a display and a user interface selection device,
- a method of providing and selecting from property category data on the display, comprising:
 - selecting property category data within a property category being displayed by the user interface (i.e. selection of a song by mouse click, see col. 15 lines 8-13),
 - wherein the property category data defines a property of one or more media files (i.e. a song), and
 - wherein each of the one or more media files includes a metadata field defining a property of the media file (i.e. see col. 9 lines 29-42);
 - associating the selected property category data with different property category data within a property category being displayed by the user interface, wherein the different property category data defines a different property of one or more media files (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13)

However, Chasen fails to teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or

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supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

Tonelli teaches a system that allows for the modifying of data related to a graphical element in response to a drag-and-drop operation, similar to that of Chasen. Furthermore, Tonelli teaches providing menu options to a user in response to the drag-and-drop operation, and the subsequent user selection and data modification, at col. 7, line 50 through col. 8, line 6. As Chasen teaches the ability to add, delete and modify metadata (col. 4, lines 28-31), a combination of the metadata modification of Chasen with the drag-and-drop menu system of Tonelli would teach in response to the associating, providing options to a user for modifying or supplementing the property data of the selected media file as a function of the property category data, receiving a user response to the provided options, and modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response.

One would have been motivated to make such a combination for the advantage of increased user-friendliness, time saving, and memory saving that result from enhanced user customization. See Tonelli, col. 8, lines 7-8.

As to claim 49, Chasen et al. teach the method of claim 48, wherein selecting property category data includes selecting and dragging the property category data from a first location in the display, and wherein associating the selected property category data with the different property category data includes dropping the selected and dragged property category data onto the different property category data at a second location in the media library (i.e. see col. 15 lines 21-29).

As to claim 50, Chasen et al. teach the method of claim 48, wherein the selected property category data and the different property category data are displayed in an indexing section (i.e. in audio player program display 110).

Response to Arguments

Applicant's arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Please note that the examiner of record has changed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

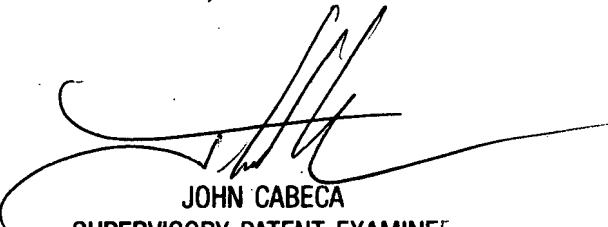
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
7/12/2007



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100